sequence variant has a conservative amino acid substitution of one amino acid of the SAKELR (SEQ ID NO.: 8), can be found throughout the specification, e.g., at page 12, lines 6-8, at page 14, line 19 to page 15, line 5 and page 27, lines 12-30. With respect to claim 90, support for the IL-8 fragment comprising the amino acid sequence AVLPRSAKELR (SEQ ID NO.: 9), can be found throughout the specification, e.g., at page 27, lines 12-21. With respect to claim 91, support for the IL-8 fragment comprising an amino acid sequence variant of AVLPRSAKELR (SEQ ID NO.: 9), wherein the amino acid sequence variant has a conservative amino acid substitution of one amino acid of the AVLPRSAKELR (SEQ ID NO.: 9), can be found throughout the specification, e.g., at page 12, lines 6-8, at page 14, line 19 to page 15, line 5, and page 27, lines 12-30. With respect to claim 92, support for the polypeptide and a pharmaceutically acceptable carrier, can be found throughout the specification, e.g., at page 42, line 3 to page 44, line 2 and originally filed claim 19. With respect to claim 93, support for where the polypeptide is a cyclic polypeptide can be found throughout the specification, e.g., at page 17, lines 24-26, at page 29, line 21 to page 30, line 4 and at page 32, line 22 to page 33, line 11.

Applicants submit that no new matter has been added to the application by way of the above Amendment. Accordingly, entry of the Amendment is respectfully requested.

SUBSTANCE OF THE INTERVIEW.

Applicants' Attorneys appreciate the telephone interview conducted with the Examiner and her mentor on January 7, 2003. The discussion concerned the enablement rejection and the Declaration Under 37 C.F.R. § 1.132 of Dr. Manuela Martins-Green. In particular, the Examiner's contention that the specification fails to enable fragments that are "not 100% identical to the N-terminal amino acid sequence" was discussed (See Action, at page 6-7.) The Examiners suggested that this basis for the rejection could be overcome by adding claims drawn to (1) a polypeptide comprising an IL-8 fragment comprising a specific 6-amino acid IL-8 sequence (SEQ ID NO:8) and (2) a polypeptide comprising a variant of this sequence with one conservative amino acid substitution. Accordingly, claims 88 and 89 have been added for the Examiners' consideration. New claims 90 and 91 are analogous to 88 and 89, except that claims 90 and 91 are drawn to a slightly longer amino acid sequence. Applicants believe that, based on the Examiners' rationale, as discussed in the interview, claims 90 and 91 are, like claims 88 and 89, free of the enablement rejection to the extent that it is based on non-identity of the recited and wild-type sequences. New

claims 92 and 93 each depend from claims 88-91 and are therefore similarly free of this basis for the rejection.

CONCLUSION

In view of the foregoing, Applicants believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 337-7871.

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APPENDIX A

"MARKED UP" CLAIMS ILLUSTRATING THE AMENDMENTS MADE TO THE CLAIMS OF 09/811,162 WITH ENTRY OF THIS AMENDMENT

88. (New) The polypeptide of claim 1, wherein the IL-8 fragment comprises the amino acid sequence SAKELR (SEQ ID NO.: 8).

89. (New) The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence variant of SAKELR (SEQ ID NO.: 8), wherein the amino acid sequence variant has a conservative amino acid substitution of one amino acid of the SAKELR (SEQ ID NO.: 8).

90. (New) The polypeptide of claim 1, wherein the IL-8 fragment comprises the amino acid sequence AVLPRSAKELR (SEQ ID NO.: 9).

91. (New) The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence variant of AVLPRSAKELR (SEQ ID NO.: 9), wherein the amino acid sequence variant has a conservative amino acid substitution of one amino acid of the AVLPRSAKELR (SEQ ID NO.: 9).

92. (New) A composition comprising the polypeptide of claim 88, 89, 90 or 91 and a pharmaceutically acceptable carrier.

93. (New) The polypeptide of claim 88, 89, 90 or 91, wherein the polypeptide is a cyclic polypeptide.

APPENDIX B

CLAIMS PENDING IN USSN 09/811,162 WITH ENTRY OF THIS AMENDMENT

1. A polypeptide comprising a single interleukin-8 (IL-8) fragment, wherein said IL-8 fragment stimulates the differentiation of fibroblasts to myofibroblasts, and wherein said fragment comprises an ELR motif, and is no greater than about 15 amino acids in length.

3. The polypeptide of claim 1, wherein the polypeptide is not angiogenic.

4. The polypeptide of claim 1, wherein the IL-8 fragment is an N-terminal IL-8 fragment.

6. The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence that is at least 70% identical to an N-terminal amino acid sequence of IL-8.

7. The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence that is at least 90% identical to an N-terminal amino acid sequence of IL-8.

8. The polypeptide of claim 7, wherein the IL-8 fragment comprises an amino acid sequence selected from the group consisting of SEQ ID NO:8 and SEQ ID NO:9.

19. A composition comprising the polypeptide of claim 1 and a pharmaceutically acceptable carrier.

87. The polypeptide of claim 1, wherein the polypeptide is a cyclic polypeptide.

88. The polypeptide of claim 1, wherein the IL-8 fragment comprises the amino acid sequence SAKELR (SEQ ID NO.: 8).

89. The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence variant of SAKELR (SEQ ID NO.: 8), wherein the amino acid sequence variant has a conservative amino acid substitution of one amino acid of the SAKELR (SEQ ID NO.: 8).

90. The polypeptide of claim 1, wherein the IL-8 fragment comprises the amino acid sequence AVLPRSAKELR (SEQ ID NO.: 9).

91. The polypeptide of claim 1, wherein the IL-8 fragment comprises an amino acid sequence variant of AVLPRSAKELR (SEQ ID NO.: 9), wherein the amino acid sequence variant has a conservative amino acid substitution of one amino acid of the AVLPRSAKELR (SEQ ID NO.: 9).

92. A composition comprising the polypeptide of claim 88, 89, 90 or 91 and a pharmaceutically acceptable carrier.

93. The polypeptide of claim 88, 89, 90 or 91, wherein the polypeptide is a cyclic polypeptide.